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TOWNSEND and TOWNSEND and CREW LLP

By: [Signature]

PATENT  
Attorney Docket No. 15270-001430US  
Client Reference No. 120-PCT-CIP1

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APR 10 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mary M. Bendig et al.

Application No.: 09/155,739

Filed: September 11, 1998

For: THERAPEUTIC USES OF  
HUMANIZED ANTIBODIES AGAINST  
ALPHA-4 INTEGRIN

Examiner: P. Gambel, Ph.D.

Art Unit: 1644

PETITION TO WITHDRAW HOLDING  
OF ABANDONMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

Applicants hereby petition to withdraw the holding of abandonment of USSN 09/155,739. The ground for the holding is alleged nonreceipt of the response filed by Applicants on July 5, 2000 in response to the Office Action dated June 5, 2000 ("the Office Action"). This petition is being filed in accordance with 37 CFR § 1.8(b) and MPEP § 512.

Applicants attach a copy of the Communication Under 37 CFR 1.821(e) dated July 5, 2000 ("the Communication") in response to the Office Action.

In addition, the following documents are also enclosed with this petition:

(a) Declaration of Lynda Robisch who signed the Certificate of Mailing on the Communication; and

(b) Declaration of Andrew T. Serafini who signed the Communication.

It is respectfully submitted that these documents establish that Applicants timely filed a Communication Under 37 CFR 1.821(e) on July 5, 2000 in response to the Office Action mailed June 5, 2000. In brief, Andrew Serafini reviewed and signed the communication on July 5, 2000. He recalls giving it to patent secretary Lynda Robisch for filing with the U.S. Patent and Trademark Office. Lynda Robisch was readily familiar with the procedure for signing a certificate of mailing and filing correspondence with the U.S. Patent and Trademark Office. The presence of a copy of the Communication and a reporting letter to the client indicating that the Communication had been filed on July 5, 2000 provide strong evidence that normal procedure was followed. Both Andrew Serafini and Lynda Robisch believed that they had filed the Communication on July 5, 2000 and both continue to hold that view.

In accordance with 37 CFR § 1.8(b) and MPEP § 512, Applicants respectfully request that the abandonment of the present application be withdrawn because Applicants have filed a timely response to the Office Action dated June 5, 2000. Applicants further request that Applicants' filed response be entered in the record.

Pursuant to MPEP 711.03(c), no fee is required for a Petition to Withdraw the Holding of Abandonment. However, if a fee is required, the Commissioner is authorized to deduct such a fee or any other fees from, or credit any overpayments to, the undersigned's Deposit Account No. 20-1430, during the prosecution of this application.

Respectfully submitted,



Hugh Wang  
Reg. No. 47,163

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Attachments:

- (a) Copy of Communication Under 37 CFR 1.821(e) dated July 5, 2000.
- (b) Declaration of Lynda Robisch; and
- (c) Declaration of Andrew T. Serafini.